

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 89-638-C - ORDER NO. 91-1136✓
DECEMBER 17, 1991

IN RE: Application of Southern Bell Telephone) ORDER
& Telegraph Company for Approval of) RULING ON
Revisions to its General Subscribers) MOTION TO
Service Tariff (Caller ID)) COMPEL

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Motion to Compel Southern Bell Telephone and Telegraph Company (Southern Bell) to answer certain interrogatories filed on behalf of Steven W. Hamm, Consumer Advocate for the State of South Carolina (the Consumer Advocate). The Consumer Advocate seeks an Order from the Commission which would compel Southern Bell to fully respond to the Consumer Advocate's first set of interrogatories; extend the date for pre-filing of testimony by the Commission Staff and Consumer Advocate until this Motion is resolved by the Commission; and continue the hearing set for December 18, 1991, until these discovery matters can be resolved.

As to the Consumer Advocate's Motion to Compel Southern Bell's responses to its interrogatories, the Consumer Advocate takes issue with Southern Bell's response to Interrogatory 1-1, 1-2, 1-4, 1-5 and 1-6. As to Interrogatory Response 1-1, the

Company objected to providing all surveys, survey results and studies performed by or for Southern Bell in South Carolina or other Southern Bell territory states regarding Caller ID, Caller ID blocking, Call Trace and other TouchStar services provided by the Company. Southern Bell stated that information relating to the studies and services other than those related to the provision of Caller ID service in South Carolina is not relevant to this proceeding and that the information is in the nature of a trade secret and will not be disclosed. However, Southern Bell did provide the Consumer Advocate with information concerning certain of the information in its files.

The Commission has determined that as to studies and surveys relating to Caller ID or any portion of any studies and surveys relating to Caller ID performed by or for Southern Bell in any of its jurisdictional states, should be provided to the Consumer Advocate. The Commission is of the opinion that any information regarding Call Trace or other TouchStar services provided by the Company are not relevant to this proceeding involving Caller ID. However, if a portion of any study or survey relates to Caller ID in addition to any other service, that study or survey should be provided.

Consumer Advocate Interrogatory 1-2 requests Southern Bell to provide its deployment plans for Signaling System 7 (SS7) network technology in South Carolina and other Southern Bell territory states, including the level of completion of these plans. Southern Bell objected on the ground of relevancy. The Commission

is of the opinion that such information is relevant to this proceeding since it is SS7 network technology which makes provision of Caller ID service possible. The level of completion of SS7 deployment will impact on which Southern Bell customers may receive Caller ID in particular geographical areas and when they will be able to receive it, whether Southern Bell customers in a particular area who desire not to forward their numbers on particular calls should take other steps to protect their number, and the amount of revenue Southern Bell can expect to receive from the service. This information is relevant and should be supplied to the Consumer Advocate.

Southern Bell objects to providing the number of unlisted and unpublished lines in the Southern Bell-South Carolina service area as of January 1, 1991. Southern Bell objects to answering this interrogatory on the ground of relevancy. The Commission, however, agrees with the Consumer Advocate that this information is particularly relevant in that subscribers of unlisted and unpublished numbers have paid Southern Bell additional compensation to retain an increased measure of control over dissemination of their telephone number. It is relevant to the proceeding that these customers pay additional compensation for the protection of their number but Caller ID as proposed by Southern Bell would allow their number to be disseminated to the public.

Interrogatory No. 1-5 of the Consumer Advocate requests Southern Bell to provide the revenue Southern Bell received in

South Carolina during the calendar year 1990, for providing unlisted and unpublished numbers to its customers. Southern Bell objected on the grounds of relevancy. Based on the Commission's determination that Southern Bell should respond and provide an answer to Interrogatory No. 1-4, the Commission is of the opinion that Interrogatory No. 1-5 should as well be answered.


In Interrogatory 1-6, the Consumer Advocate asks whether or not Southern Bell has surveyed its nonpublished service subscribers in South Carolina for their opinion on Caller ID. Additionally, the interrogatory asks for the contacts and results of any such survey. Southern Bell responded that it had conducted such a survey but that it was allowed under the Rules of the Commission and of the Circuit Court thirty (30) days within which to produce such documents. Southern Bell stated that it would attempt to compile such documents and make them available for inspection and copying prior to the date of the hearing. The Commission would agree with the Consumer Advocate based on the Commission's findings regarding Interrogatory Nos. 1-4 and 1-5, that this information is relevant to this proceeding. Additionally, the Commission notes that the hearing in this matter has been rescheduled for January 6, 1992, and that Southern Bell should use the intervening time to gather the results of its survey and supply it to the Consumer Advocate.

The Commission, having determined that this hearing should be rescheduled for January 6, 1992, will give the Company until December 20, 1991, in which to respond to the requested

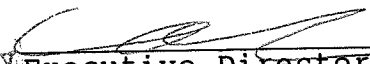
information as ruled upon herein. The Commission notes that both the Staff and the Consumer Advocate's pre-filed testimony is due to be filed December 23, 1991, and that such responses by Southern Bell are necessary for the Consumer Advocate to complete its pre-filed testimony. The Commission would encourage Southern Bell to use its best efforts and good faith in responding to these interrogatories of the Consumer Advocate. If the information requested in Interrogatory 1-6 is not available by December 20, 1991, Southern Bell should supply it to the Consumer Advocate in sufficient time before the January 6, 1992, hearing to allow the Consumer Advocate to prepare and file supplemental testimony.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)